Previous references. E P 1903. (Sep. Rev.)

File No. 111 of 03-04.

Serial Nos. 1–2.

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1–2.

Part B. for

SUBJECT.

Refund of the value, viz. Rs. 35/- of a Court fee Stamp purchased and not used.

Table of Contents.

Sl. 1. No. C. 1507 dy. 23-4-04 ~~dt~~ From D.C. Kolar.
Requesting instructions whether refund of the value of a 35 Rs. stamp paper, can be made to Kanakamma alias Rajamma.
Fl. 1649.

Sl. 2. Fl. 3502-3 dy. 24-6-04. To the Comptr. & D.C. Kolar.
Stating that the refund asked for is admissible, and sanctioning the refund of the value, subject to the usual
G. R. S. 58 discount of one anna in the rupee.

Returned to the sealer (1935)
Vacant Fee Stamps
purchased & not
used

Office note. 1

Branch: Financial

Subject: Letter no: C/1507 & 23.4.1904 from the Dy Collr, Kolar district, requesting instructions as to whether the value, Rs 35/-, of a Court fees' Stamp paper presented by one Kanakamma may be refunded.

Note

The Court fees' stamp in question was purchased on 23.1.04. The application for the refund of its value is dated 4.2.04. Thus there is an interval of only a few days between the date of purchase of the stamp and that of presenting it for cancellation.

The Dy Collr doubts whether notification no: 9 of the 16th April 1885 printed at page 59 of the rules and notifications under Ind. Stamp and Court fees' Act is applicable to this case. May he be informed that the notification is applicable and that the refund may be sanctioned.

Submitted
ZN
16/04

This should go to the Fin'l Br: I think so

7C 1849

MYSORE GOVERNMENT GENERAL REVENUE SECRETARIAT
25 APR. 1904
1904

From
K. P. Puttanna Chetty Esqr
Deputy Commissioner
Kolar District.

To
L. Anantasami Rao Esqr B.A.
Offg: Secretary to the Govt.
of Mysore, Revenue & General Depts.

Dated 23rd April 1904.

Despatched

Received Serial No. 1.

General No.

No. C. 1507

Enclosure No. 1 file

Requesting instructions whether refund of the value of a 35 Rs. stamp on paper can be made to Kandakamma alias Rajamma

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To
The Revenue Branch

The only available Copy of Rules & Notifications under Genl Stamp and Court Fees Act. And Containing the Notification No: 9 of 16th April 85 herewith putup.

Please return the same when done with.

RB, 6/6/04

6/6/04

Submitted with a note.

7/6/04

Records
Dr. to Mysore
P 25. 4

Yes
6/4

Early records:
Please put up the authority quoted within.
4-6-04

2

Deputy Commissioner's Office,
Kolar District,
Dated, 23rd April 1904.

From

K. P. Puttanna chetty Esqr.
Deputy Commissioner
Kolar District.

To

L. Anantasami Rao Esqr. B.A.
Offg. Secretary to the
Government of Mysore,
Revenue & General Departments.

Sir,

In submitting herewith the accompanying Court fee stamp of the value of Rs 35/-, I have the honor to state that it was purchased by Kanakamma alias Rajamma on 23rd January 1904, and was presented on 4th February 1904, with a petition praying for the refund of its value. The Applicant, in her statement made before the Amildar of Bowringpet, has deposed that she purchased the paper from a licensed stamp Vendor in order to institute a suit against one Chinniah, that coming to know that the paper

was

was of a higher value than was ne-
-cessary, she purchased another paper
for Rs 10/-, and that, in consequence,
the accompanying paper became
useless.

2. Notification No 9 of 16th April
1885, which deals with the question of
the refund of the value of court fee
stamps, does not seem to distinctly
authorise the refund in cases such as
the above, where a stamp has become
useless by the fact of its being of a higher
value than was required.

* A copy of the Rules and Notifications under Stamp & Court Fees Act containing the Notification is put up.

3. I, therefore, request that you
will be so good as to inform me whether
the refund can be made.

4. Vernacular correspondence
ending with the Malur Division Assist-
-ant Commissioner's Yadi No 669 dated
31st March 1904, is enclosed herein.

I have the honor to be,
Sir,
Your most obedient Servant

W M Cumming

Deputy Commissioner
Kolar District.

Read

Letter no: 1507 of the 23.4.04 from the Dy Comr of Kolar District submitting a court fees stamp paper of the value of Rs 35/- produced by one Kanakamma alias Rajamma and requesting to be informed if the value thereof may be refunded.

Serial No. 2.

Order thereon.

The stamp paper in question was purchased by the said Kanakamma on the 23.1.04 for instituting a civil suit against one Chinniah. ~~Having been told that~~ As this stamp was of a higher value than that required for the purpose, Kanakamma purchased another of the value of Rs 10/- and used it. The stamp paper of Rs 35/- thus became useless and Kanakamma

No. R 3502-3

Dy 24/6/04.

16/6/04

18.VI.04

21.6.04

21/6/04

4/7/04

produced at before the Dy
Comrs on the 4.2.04 for the refund
of its value. The Dy Comrs
doubts whether notification
no: 9 of the 16th April 1885, which
deals with the question of refund
of the value of Court fees in stamps;
Authorises the refund of stamps which
~~does apply to the present case~~
~~Where a stamp has become~~
useless by the fault of the its being
of a higher value than is
~~required~~ necessary for the purpose.

2. The notification referred
to is clear. It provides for the
refund of a court fee stamp purchased in error
for which the purchaser has no
immediate use. The refund
asked for is therefore admis-
sible, and is accordingly sanctioned
subject to payment of the usual deduction
of one anna in the rupee.

Offg Secretary
14/6/04

14/6/04

The Dy Comrs, Kolar District,
~~&c~~ returning the enclosures.

The Comptr to the Govt of H.H. the
Maharaja of Mysore.

Typed 22/6/04
Compd 22/6